



May 1, 2020

Dr. Muntu Davis, County Health Officer  
Dr. Barbara Ferrer, Director  
Los Angeles County Department of Public Health  
313 N. Figueroa Street, Room 806  
Los Angeles, CA 90012

**Re: COVID-19 Public Health Hazard at the Amazon DLA8 Delivery Station in Hawthorne**

Dear Dr. Davis and Dr. Ferrer,

The Warehouse Worker Resource Center (WWRC) writes to submit a complaint with the Los Angeles County Department of Public Health regarding the public health hazard posed by inadequate COVID-19 control and prevention measures at Amazon's DLA8 Delivery Station, located at 2815 West El Segundo Boulevard, Hawthorne, California, 90250.

WWRC is a 501(c)(3) nonprofit organization located in Ontario, California that supports workers in the warehouse and supply chain sectors through education, advocacy and action. We have heard from numerous employees at Amazon DLA8 that the company is taking inadequate steps to prevent the transmission of COVID-19 among its workforce, including failing to respond adequately to several confirmed employee cases of COVID-19 to date.

Employees are also contacting Cal/OSHA for assistance with workplace safety concerns, but many are just as concerned about COVID-19 transmission in the workplace threatening the health of their families and broader community. Over 60 employees have signed a petition demanding for Amazon DLA8 to temporarily close with paid leave to allow for proper disinfection and to halt any further spread of COVID-19 until better protective measures are in place. A copy of the petition is attached. These employees are bravely speaking out to protect their own safety and the public health of their community across Los Angeles County.

## **Public Health Implications of COVID-19 at the Amazon DLA8 Delivery Station**

Running 24/7, with an average of approximately 250 employees working in its warehouse, and over 200 Amazon and third-party delivery drivers working out of the facility, Amazon DLA8's operations are of a scale to warrant significant public health concern about its increasing employee COVID-19 cases and inadequate protective measures. The total number of employees potentially exposed to COVID-19 and dispersed in the community may be even greater due to a high turnover rate exacerbated by current conditions, with many employees staying home with health concerns and Amazon hiring over 175,000 new employees to keep up with rising demand.<sup>1</sup>

Moreover, the nature of operations at Amazon DLA8 make it inherently susceptible to the spread of a highly contagious disease such as COVID-19, due to the large volume of packages and equipment touched by multiple employees and the mobile activity of much of the work. At Amazon DLA8, over 90,000 packages are processed on an average night shift alone, with each package typically handled by 5-7 successive employees in well under an hour. Employees circulate widely in the work area and share restrooms, a breakroom, a locker room, and tools and equipment such as scanners, carts, conveyor belts, tote bags, and more. This makes aggressive infection prevention and control imperative at DLA8, as areas potentially contaminated by any infected employees likely include most if not all of the facility.

These concerns have been made especially urgent by several confirmed cases of COVID-19, including a fatality, among workers at Amazon DLA8. The most recent case was just confirmed by Amazon yesterday, April 30th, in a text message to employees.

Along with the public health threat posed by community transmission among its workforce, Amazon DLA8's position in the supply chain imposes additional infection dangers to the region. Amazon has 15 major facilities in the Los Angeles, Orange County, and Inland Valley regions, and the DLA8 Delivery Station receives goods directly from a number of them, where merchandise and packages have already been handled by multiple employees. Other facilities in the region are also experiencing COVID-19 cases and employee allegations of inadequate health and safety measures.<sup>2</sup>

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<sup>1</sup> CNBC, "Amazon to hire 75,000 more workers as demand rises due to coronavirus," April 13, 2020, <https://www.cnbc.com/2020/04/13/amazon-hiring-75000-more-workers-as-demand-rises-due-to-coronavirus.html>.

<sup>2</sup> Los Angeles Times, "Employees at 6 Amazon facilities in Southern California have tested positive for coronavirus," April 2, 2020, <https://www.latimes.com/business/technology/story/2020-04-02/amazon-employees-at-6-facilities-in-southern-california-have-tested-positive-for-coronavirus>; Los Angeles Times, "Fearing coronavirus, Amazon workers demand safety probe," April 9, 2020,

The Amazon DLA8 facility, one of Amazon's largest delivery stations in the U.S., in turn sends hundreds of vans every day to deliver packages directly to customers across the Los Angeles County region. In addition to warehouse associates and delivery drivers employed directly by Amazon, a significant number of subcontracted companies operate delivery services for Amazon out of DLA8. These companies include, but are not limit to: SDLA Courier Service Inc., Southern California Messengers (SCM), MOTP Delivery, Shipmates LLC, QX Logistix, Falcon Express, 1-800 Courier, Red Line Courier, Alpha Express Inc., Plan B Express Courier, and Scoobeez. Amazon also employs delivery drivers through Amazon Direct.

Of all the kinds of facilities to have an infectious disease outbreak, Amazon DLA8 is one which could have the broadest and most voluminous impacts due to the scale of the facility and the breadth of the company's delivery footprint.

### **Inadequate COVID-19 Prevention and Control Measures at Amazon DLA8**

Reports to WWRC from current Amazon DLA8 employees and subcontracted delivery drivers indicate that the company's COVID-19 prevention efforts over the past several weeks, and its response following confirmed employee infections more recently, are inadequate to appropriately address the hazard. Amazon has implemented numerous procedures to try to reduce the risk, but many fall short of relevant CDC guidance or are not implemented effectively. This includes:

- 1. Failing to adequately close off affected work areas or the facility after confirmed employee cases of COVID-19.** After suspected or confirmed employee cases, CDC guidance recommends closing off areas visited by infected employees and waiting "24 hours or as long as practical" before cleaning and disinfecting. As described more above, the nature of production at DLA8 means that any infected employees could contaminate most if not all of the building. Yet Amazon failed to temporarily close the facility to isolate the hazard and sanitize the building after confirmed employee cases. Employees also report seeing no evidence of particular areas being closed off for any significant isolation period or enhanced cleaning, and are doubtful it would have been possible given the 24/7 operations.
- 2. Inadequate transparency around confirmed COVID-19 employee cases.** Amazon has not disclosed enough information to adequately inform employees of their potential exposure, withholding information such as the shifts or work areas where employees infected with COVID-19 worked. Amazon claims to have notified individuals in direct contact with the

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<https://www.latimes.com/business/technology/story/2020-04-09/fearful-of-covid-19-amazon-workers-ask-for-state-probe-of-working-conditions>.

sick employees, but in a large facility like DLA8 the potential exposure was likely much broader. Drivers at various third-party delivery companies that operate out of DLA8 report receiving no formal notifications at all about confirmed COVID-19 cases at the facility. Warehouse employees also report receiving no information about the fact that an Amazon DLA8 employee died from COVID-19 on March 31st until seeing reports about the death in the media starting on April 14th.<sup>3</sup>

Amazon could share more details to provide transparency to employees while still protecting the identity of the individuals with COVID-19. The lack of transparency about confirmed cases prevented employees from being able to take informed preventative measures, such as increased vigilance with infection control protocols or staying home if they or a household member belonged to a vulnerable group.

- 3. Maintaining unreasonable workloads that prevent employees from following best practices to avoid COVID-19 transmission.** A top complaint from employees is that overly burdensome workloads at Amazon DLA8 interfere with physical distancing, frequent hand-washing, and wearing faces masks properly. Although employees have been told that some performance targets and related discipline have been relaxed due to the pandemic, the pace and workload at Amazon DLA8 are largely determined by operating speeds that are unlikely to change much without the work flow being physically slowed down or paused periodically to allow more breaks. Effective COVID-19 prevention measures require additional time and care, but employees report that the number of packages needing to move out the door remains relentless and offers little room for anything but scrambling to keep up when things are busy.

Delivery drivers reported even before the pandemic that demanding delivery routes and volumes, along with the nature of being in the field away from facilities, made it difficult at times to take adequate restroom breaks. Workers have had to resort to urinating in bottles at times. These conditions have only been exacerbated during the pandemic, as many businesses and public restrooms have closed, while drivers have been expected to keep up the delivery volume. The performance expectations Amazon DLA8 sets for its third-party delivery providers directly contribute to these conditions.

- 4. Inadequate sanitation practices to prevent the spread of COVID-19 on shared surfaces.** CDC guidance recommends employees not use equipment touched by others if possible, and to clean and disinfect equipment before and after use. Depending on their position, warehouse employees touch a variety of equipment used by others on previous or the same

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<sup>3</sup> Amazon alleges the employee had not been in contact with other DLA8 workers since March 6 and contracted COVID-19 while on vacation.

shifts, such as scanners, tote bags, carts, conveyor belts, shelves, and racks. Some employees report working without being required to clean or sanitize the shared surfaces or equipment in their work areas at either the beginning or end of their shifts. Although some report seeing scanners cleaned while on their charging racks, it is unclear to employees how other touched surfaces in their work areas could possibly be cleaned adequately between shifts given the 24/7 operating schedule and size of the facility.

Shared surfaces for delivery drivers include scanners and all the touched surfaces in delivery vans. Delivery drivers for third-party companies report being given only one or two sanitary wipes to disinfect their scanner and entire delivery van at the beginning of each shift, and some have regularly been provided with no wipes at all. Many are also not provided with disposable gloves while doing this cleaning.

**5. Inadequate access and supplies for regular handwashing, sanitizing, and hygiene.**

Warehouse employees report that hand sanitizer is usually an inconvenient distance from their work areas, primarily available in the breakroom and a very few central locations in the warehouse. Restrooms are typically at least a 2-3 minute walk away from work areas as well, making frequent handwashing or sanitizing during a shift difficult within workload constraints.

Delivery drivers from multiple third-party companies report hand sanitizer being provided sporadically or not at all, despite their limited access to restroom facilities and constantly touching packages and shared surfaces such as gates, door handles, doorbells, and elevator buttons. Drivers report that limited restroom access while delivering, made significantly worse by current business closures, prevents them from being able to wash their hands frequently, and they are not provided extra time or directions from their employers to find restrooms.

**6. Strict paid sick leave policies that may discourage sick employees from staying home.**

Amazon states it has a policy of providing up to two weeks of paid sick leave for employees with COVID-19 or on required quarantine. However, some employees have been told that they must be officially diagnosed with COVID-19 and have a doctor's note to access this benefit. This runs counter to CDC recommendations and is likely to lead to many employees with mild symptoms who are contagious remaining at work because they cannot afford to stay home without pay. Indeed, attorneys general in 14 states, including California Attorney General Xavier Becerra, recently sent a letter to Amazon urging the company to provide more generous paid leave, calling the current policy "inadequate to protect the public health

during the developing COVID-19 crisis.”<sup>4</sup> To make matters worse, Amazon recently announced that on May 1st it will end the unlimited unpaid time off (UPT) it had been offering to anyone wanting to stay home. This means that even those employees who traded their paychecks to stay safe must now report to work or risk losing their jobs.

7. **Inadequate training on COVID-19 and infection prevention.** Amazon DLA8 employees report being told general guidance from supervisors to wash their hands and practice physical distancing, but workers report not receiving formal training or instruction on COVID-19 hazard mitigation. General guidance on COVID-19 reduction practices is grossly inadequate instruction for DLA8 employees, who should be given more specific training on how to reduce the hazard within the context of their work operations, such as on procedures for maintaining physical distancing when multiple workers need access to an aisle, loading dock, or other confined area, or on how to program regular handwashing within production demands, as well as training for supervisors on implementing any such procedures, to name but a few examples.

Amazon has shown a pattern in recent weeks of providing incomplete information about potential infections, while failing to adequately and proactively address the threat to workers and public health presented by growing COVID-19 infections in its workplaces. In light of its significant public health impact on the local community, we should expect Amazon to be doing everything in its power to limit the spread of COVID-19, including slowing down, cleaning up and looking out for the public. What we see instead is Amazon ramping up hiring to take up the surging consumer demand created by the COVID-19 pandemic and its fallout.

The efforts Amazon has made to stop COVID-19 transmission have largely come after worker and public scrutiny, and appear to remain inadequate and inconsistent. The fact that a trillion-dollar company appears to have been slow in protecting workers and consumers is unacceptable, and should raise concerns about COVID-19 infection control across its more than 30 facilities in California.

### **Los Angeles County Public Health Department’s Broad Power to Protect the Community**

County public health departments, along with the California Department of Public Health, have broad “police powers” during times of emergency to implement measures necessary to protect the public from dire threats, such as the spread of pandemic COVID-19 in the community. California Health & Safety Code § 120175 requires that a local health officer “knowing or

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<sup>4</sup> Massachusetts Office of the Attorney General, “Request for Adoption of Broader Sick Leave during COVID-19 Crisis,” March 25, 2020, available at: <https://oag.ca.gov/system/files/attachments/press-docs/Amazon%20WF%20COVID%20sick%20leave%20letter%20%283-25%29.pdf>.

having reason to believe” that cases of a disease such as COVID-19 “exists, or has recently existed, within the territory under his or her jurisdiction, shall take measures as may be necessary to prevent the spread of the disease or occurrence of additional cases.” (emphasis added).

During an emergency such as the COVID-19 pandemic, the state at large has “full justification for the measures taken to control the menacing condition, and private interests must be held wholly subservient to the right of the state to proceed in such manner as it deems appropriate for the protection of the public health or safety.” *Farmers Ins. Exch. v. Cal.*, 175 Cal. App. 3d 494, 502 (1985) (citing *House v. L.A. Cty. Flood Control Dist.*, 25 Cal.2d 384, 391 (1944)).

Along with the 63 employees who signed a petition demanding that Amazon DLA8 do more to protect them from COVID-19, and the numerous employees who have spoken with us directly, the Warehouse Worker Resource Center strongly urges you to immediately and thoroughly investigate the serious public health threat posed by the alleged inadequate COVID-19 mitigation practices at Amazon DLA8.

Amazon DLA8 employees, their families, and communities are counting on you to protect their health during this unprecedented emergency. Such extraordinary conditions may require extraordinary measures, and we urge you to use the full extent of your unique emergency authority to ensure that a worksite with one of the largest delivery footprints in our community does not become a source of widespread COVID-19 transmission.

Several current Amazon DLA8 employees are willing to speak confidentially with investigators about the conditions and practices in their workplace, and we urge you to contact us to arrange to speak with them. We request that you keep confidential the identity and contact information of any employee you interview to help avoid employer retaliation.

To contact potential employee witnesses or for any questions regarding this complaint, please contact me at [REDACTED] or [REDACTED]. Thank you for your prompt and immediate attention to this serious matter.

Sincerely,



Timothy Shadix, Esq.  
Legal Director, Warehouse Worker Resource Center

Cc:

Los Angeles County Board of Supervisors  
Hilda L. Solis, First District  
Mark Ridley-Thomas, Second District  
Sheila Kuehl, Third District  
Janice Hahn, Fourth District  
Kathryn Barger, Fifth District

Dr. Sonia Y. Angell  
State Public Health Officer and Director,  
California Department of Public Health

Assembly Member Autumn R. Burke  
California State Assembly, District 62

Senator Steven Bradford  
California State Senate, District 35



**Attachment:**

**Employee Petition to Amazon DLA8 Management  
Regarding COVID-19 Hazards**

# AMAZON WORKER ALLIANCE

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## LOS ANGELES

### LA Amazon Workers Demand Safety!

Amazon workers are being asked to work with no protections from the COVID-19 virus. This represents a threat to us and our families, as well as a threat to the health of our customers and the public. We the undersigned believe that Amazon is operating unsafely and without workplace protections. Workers in LA Area Amazon operations demand the following:

- 1) If an Amazon facility has a confirmed case of COVID-19, the facility shut down immediately and workers be provided full pay for at least two weeks, until the company comes up with safe operating procedures.
- 2) At least two weeks paid leave for workers who contract COVID-19; have to stay at home to care for relatives with COVID-19; or have to stay home because they have to care for children who are home under shelter in place orders.
- 3) Set up all work and functions that all Amazon workers and contract delivery drivers are protected by six foot social distancing standards.
- 4) Regular deep cleaning and sanitization of all equipment and other surfaces that workers come into contact with.
- 5) Provide protective equipment to all Amazon workers and delivery contract drivers e.g. an adequate supply of disposable gloves, hand sanitizer, disinfectant soap, disposable masks, as well as proper training in how to use the protective equipment in order to keep workers safe. Temperature checks at the start of each shift, done by licensed medical personnel operating within the scope of their licensure specific to diagnosis and assessment, not unlicensed assistant personnel. Amazon protocol for the periodic disinfection of work stations &

equipment, as well as periodic disinfectant hand washing throughout the work day.

6) Amazon will inform workers immediately if any employees or contractors are infected, once Amazon is aware, or should have reasonably become aware of the exposure.

7) Amazon will provide and pay for COVID-19 testing to all workers who request it.

8) Amazon will pay for treatment for any employee or contract workers who is infected with COVID-19. Amazon will provide leave and benefits at Amazon's expense, without depleting any prior accrued benefits, with benefits accruals continuing during the duration of recovery.

9) Amazon and its delivery contractors must end all rates of productivity/ pace of work standards in order to allow adequate time to engage in proper social distancing, disinfectant hand washing and other healthy practices throughout the work day.

10) A health and safety task force comprised exclusively of Amazon employees and contract workers (not managers), to ensure all of the above provisions are being observed.

11) Time and a half hazard pay for all employees and contract workers throughout this period.